



**PATENT APPLICATION**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Motoshi KISHI et al.

Group Art Unit: 3724

Application No.: 09/661,778

Examiner: C. Dexter

Filed: September 14, 2000

Docket No.: 106856

For: APPARATUS AND METHOD FOR MAKING LABELS

**REQUEST FOR RECONSIDERATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In reply to the April 21, 2005 Office Action, reconsideration of this application is respectfully requested in light of the following remarks.

Claims 1-3 are pending in this application.

**I. Allowable Subject Matter**

Applicants appreciate the indication of allowable subject matter in claims 2 and 3, they being allowable if rewritten in independent form to include all of the features of the base claim and any intervening claims. All pending claims are in condition for allowance for the reasons discussed below.

**II. Double Patenting**

Claim 1 is rejected under the judicially created doctrine of obviousness-type double patenting over U.S. Patent No. 6,341,548 to Hirahata et al. The rejection is respectfully traversed.

When rejecting claims under the judicially created doctrine of obviousness-type double patenting, the Examiner must properly define the subject matter of the claims at issue